

REMARKS

This Amendment is in response to the first Office Action dated November 28, 2003. Claims 1-18 were examined in the Office Action and all were rejected. Claims 1-4, 6, 12, and 14-18 have been amended. No claims have been canceled.

Amendments to the Specification

In the specification, a number of paragraphs have been amended to correct minor editorial problems.

Amendments to the Claims

Claim 1 is amended herein to claim the network as being managed by a network administrator as described in paragraph [0049] among other places in the specification. Claim 1 is further amended to more distinctly describe the nature of the network resources and distinguish them from purely informational data resources, support for which is found in paragraphs [0050] and [0051] among other places in the specification. Claim 1 is amended to claim that each resource is capable of performing one or more tasks that modify the resource, support for which is found in paragraph [0037] among other places in the specification.

Claim 3 is amended herein to distinctly describe that a first resource includes a search handler that is capable of performing search functions on the first resource, support for which may be found in paragraph [0119] among other places in the specification.

Claim 2, 4 and 6 are amended herein to be consistent with the amendments of claims 1 and 3.

Claim 12 is amended to more distinctly describe the network resources and resource managers, support for which is found in paragraphs [0050], [0051] and [0055] among other places in the specification. Claim 12 is further amended herein to more distinctly describe installing a new resource on the network as described in paragraphs [0062] to [0072] among other places in the specification.

Claim 14 is amended to be consistent with the amendments of claim 12.

Claim 15 is amended herein to more distinctly claim the management module's response to a query, support for which is found in paragraphs [0170] to [0173] among other places in the specification.

Claims 16-18 are amended herein to be consistent with the amendments of claim 15.

Amendments to the Drawings

Applicants amend FIGS. 1, 10, 13, 14, 16, 20, 21, and 23 herein to correct informalities as shown in the attached sheets of drawings.

Fig. 1 is amended to correct the spelling of "Explorer" and a spacing issue related to "Computers." This sheet, which includes Fig. 1 replaces the original sheet including Fig. 1.

Fig. 10 is amended to correct the spelling of "Explorer" and a spacing issue related to "Computers." 1014 as discussed in the specification on page 66, line 5, has been added to Fig. 10. This sheet, which includes Fig. 10, replaces the original sheet including Fig. 10.

Fig. 13 a misprint of 1234 has been corrected to read 1234. Also, an errant number, 424 has been removed from Fig. 13. Finally, the misspelling of "Search," has been corrected. This sheet, which includes, Fig. 13, replaces the original sheet including Fig. 13.

Fig. 14 a misspelling of "Explorer" has been corrected and a spacing issue related to "Address." This sheet, which includes Fig. 14, replaces the original sheet including Fig. 14.

Fig. 16 the item number 1612 and 1610 were changed to reflect the discussion in the specification. This sheet, which includes Fig. 16, replaces the original sheet including Fig. 16.

Fig. 20 the item number 2026 has been added to accurately reflect the discussion in the specification. This sheet, which includes Fig. 20, replaces the original sheet including Fig. 20.

Fig. 21 is amended to correct a misspelling of "Explorer." In addition, item 1420 was changed to reflect the discussion in the specification. This sheet, which includes Fig. 21, replaces the original sheet including Fig. 21.

Fig. 23 has been amended to correct a spelling error in "Tim Jones." This sheet, which includes Fig. 23, replaces the original sheet including Fig. 23.

Claim Rejections – 35 USC § 102

Claims 12, 13, 15, 17 and 18 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Call (USPN 6,154,738).

Applicants do not admit that the Call patent is prior art and do not waive their right to swear behind the Call patent at a later date. Applicants nonetheless believe that the present invention is distinguishable over the Call patent.

Independent Claim 12

Independent claim 12 was rejected under 35 U.S.C. § 102(e) as being anticipated by Call (USPN 6,154,738). Applicants respectfully traverse the Examiner's rejection on the grounds that the Call patent is distinguishable from the claimed invention. That is, with respect to each §102(e) rejection the cited reference does not identically disclose all of the limitations of the claimed invention. Under 35 U.S.C. § 102, a reference must show or describe each and every element claimed in order to anticipate the claims. *Verdegaal Bros. v. Union Oil Co. of California* 814 F.2d 628 (Fed. Cir. 1987) ("A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.").

Call describes a "cross-referencing resource" for "disseminating over the Internet product information produced and maintained by product manufacturers." Call, Abstract. Call is concerned with providing a central directory for product information in which the product information is maintained by third parties on third party computer systems. The system in Call associates a universal product code (UPC) with an IP-address "where further information on the products designated by the registered universal product codes may be obtained." (Call col. 8, line 58-60).

The network described in Call in FIG. 1 differs from the network claimed in claim 12, as amended, in a number of fundamental ways. First, each computer in Call's network is controlled by a different party, e.g. a manufacturer 103, a distributor 105, a retailer 107, etc. Thus, the network in Call is not under the common control of a network administrator as now claimed.

In addition, Call's cross-referencing resource, referred to as a product code translator 101, cannot directly modify the operation of, or data in, any other computer on the network. While the various manufacturers can register new products and add information to the product code translator 101, a network administrator at a client computer accessing the product code translator (understandably) cannot change information on the third party computers or otherwise modify the operation of the third party computers in any way. Therefore, Call does not teach or

disclose a resource having data and capable of performing one or more tasks as directed by the network administrator that modify the resource as now claimed in amended claim 12.

Furthermore, the manufacturers, upon registration, do not provide search information to the product code translator associated with tasks that modify the manufactures' computers. Therefore Call does not teach or disclose retrieving search information associated with tasks that modify the new resource as now claimed in claim 12.

As Call does not teach or disclose at least these elements of claim 12, as amended, Applicants respectfully request the Examiner to withdraw this rejection and find amended claim 12, and its dependent claims 13 and 14, in a condition for allowance.

Independent Claim 15

Independent claim 15 was rejected under 35 U.S.C. § 102(e) as being anticipated by Call (USPN 6,154,738). Applicants respectfully traverse the Examiner's rejection as the cited reference does not identically disclose all of the limitations of the claimed invention. Under 35 U.S.C. § 102, a reference must show or describe each and every element claimed in order to anticipate the claims. *Verdegaal Bros. v. Union Oil Co. of California* 814 F.2d 628 (Fed. Cir. 1987) ("A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.").

As discussed above with reference to claim 12, the network described in Call in FIG. 1 differs from the network claimed in claim 15, as amended, in a number of fundamental ways. First, each computer in Call's network is controlled by a different party, e.g. a manufacturer 103, a distributor 105, a retailer 107, etc. Thus, the network in Call is not under the common control of a network administrator as now described in claim 15.

In addition, Call's cross-referencing resource, referred to as a product code translator 101, cannot modify the operation of or data in any other computer on the network. While the various manufacturers can register new products and add information to the product code translator 101, a network administrator at a client computer accessing the product code translator (understandably) cannot change information on the third party computers or otherwise modify the operation of the other computers in the network in any way. Therefore, Call does not teach or disclose a network with resources having data and capable of performing one or more tasks as

directed by the network administrator that modify the resource as now claimed in amended claim 15.

Furthermore, the manufacturers, upon registration, do not provide search information to the product code translator associated with tasks that modify the manufactures' computers. Therefore Call does not teach or disclose a management module displaying search information and providing access to tasks that modify one or more resources as now claimed in claim 15.

As Call does not teach or disclose at least these elements of claim 15, as amended, Applicants respectfully request the Examiner to withdraw this rejection and find amended claim 15, and its dependent claims 16-18, in a condition for allowance.

Claim Rejections – 35 USC § 103

Independent claim 1 and its dependent claims 2-11 are rejected under 35 U.S.C. § 103(a). Claims 1, 2, 8 and 9 stand rejected as being unpatentable over Call in view of Thackston (USPN 6,295,513). Claims 3-7, 10, 11, 14 and 16 stand rejected as being unpatentable over Call in view of Thackston, and further in view of Li et al. (USPN 5,911,138).

Independent Claim 1

Independent claim 1 was rejected under 35 USC § 103(a) as being unpatentable over Call in view of Thackston (USPN 6,295,513). Applicants respectfully traverse the rejections of independent claim 1, and its dependent claims 2-11, as the Office Action fails to establish a prima facie case of obviousness in light of the reference. A prima facie case of obviousness can only be established when all of the following requirements are met: (1) there must be some suggestion or motivation in the references themselves to combine the references; (2) there must be a reasonable expectation of success; and (3) the reference or combination of references must teach or suggest all the claim limitations. See MPEP §§ 706.02(j) and 2143.

As discussed above with reference to independent claims 12 and 15, the network described in Call in FIG. 1 differs from the network claimed in claim 1, as amended, in a number of fundamental ways. First, each computer in Call's network is controlled by a different party, e.g. a manufacturer 103, a distributor 105, a retailer 107, etc. Thus, the network in Call is not under the common control of a network administrator as now claimed.

In addition, Call's product code translator 101 cannot directly modify the operation of, or data in, any other computer on the network. A network administrator of Call's product code translator (understandably) cannot change information on the third party computers or otherwise modify the operation of the third party computers in any way. Therefore, Call does not teach or disclose a resource having at least one managed object and capable of performing one or more tasks that modify the resource as now claimed in amended claim 1.

Furthermore, the manufacturers, upon registration, do not provide search information to the product code translator associated with tasks that modify the manufactures' computers. Therefore Call does not teach or disclose providing management task options to the client computer related to the query, the management task options including tasks from more than one resource e as now claimed in claim 1.

In Call, client computers can find, via the directory provided by the product code translator, information stored on third party computers and third party computers may update the directory. In Call, the product code translator must receive information from the client computers in the network. Call does not teach or disclose searching third party computers in response a query from a client computer. A client computer to the product code translator may search the data on the product code translator, but cannot cause the product code translator to actively retrieve and utilize new information from any of the third party computers. Therefore, Call does not teach or disclose accessing a plurality of resources in response to a query as now claimed.

The Examiner cites Thackston as disclosing providing management task options as claimed in original claim 1. Claim 1, as amended, now requires that the management task options include tasks from more than one resource, each task if performed modifying its associated resource. Thackston, like Call, discloses a network of independently controlled computers. While a client computer in Thackston's network may have access to applications and data on various other computers, the client is not provided with management task options that modify or reconfigure the other computers as now claimed in claim 1.

As neither Call nor Thackston teach or disclose at least these elements of amended claim 1, Applicants respectfully request the Examiner to withdraw this rejection and find amended claim 1, and its dependent claims 2-11, in a condition for allowance.

Conclusion

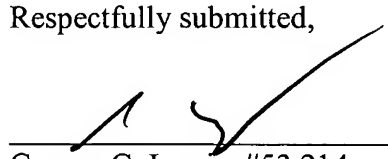
As originally filed, the present application included 18 claims 3 of which were independent. As amended, the present application now includes 18 claims, 3 of which are independent. Accordingly, it is believed that no fees are due with this Amendment. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment with respect to this patent application to deposit account number 13-2725.

In light of the above remarks and amendments, it is believed that the application is now in condition for allowance, and such action is respectfully requested. Should any additional issues need to be resolved, the Examiner is requested to telephone the undersigned to attempt to resolve those issues.

Respectfully submitted,

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George C. Lewis, #53,214
MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, MN 55402-0903
303.357.1648